



17.71

PATENT

#10

ALBIHN W 3.3-397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Nordin

Appln. No. 09/701,598

Filed: April 16, 2001

For: CLOTH FOR A DRY MOP

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:
: Group Art Unit: 1771
:
: Examiner: C.C. Pratt
:
: Dated: September 5, 2003
:
:
X

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REINSTATEMENT

Sir:

Attorneys for the above-identified applicant received a Notice of Abandonment mailed August 27, 2003 for failure to respond to an Office letter mailed December 1, 2002 (please note, however, that the action has a mailing date of December 5, 2002 and we enclose a copy of same herewith). However, a response to said Office Action was mailed to the Patent and Trademark Office on April 4, 2003 along with an Extension Petition.

Attached hereto are copies of the Amendment, Extension Petition, and a postcard indicating receipt in the Patent and Trademark Office mailroom on April 9, 2003. Additionally, the documents bear a Certificate of Mailing dated April 4, 2003.

It is therefore believed that evidence has been submitted to establish that a response to the Office Action dated December 5, 2002 was timely filed, and is therefore respectfully requested that prosecution on the above-identified application be reopened.

If there are any fees due in connection with this communication, please charge same to our Deposit Account No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



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PLEASE ACKNOWLEDGE RECEIPT BY RETURNING THIS CARD

Via: First Class Mail

Atty Docket No.: ALBIHN W 3.3-397

Due Date: March 5, 2003

Title: CLOTH FOR A DRY MOP

Application No.: 09/701,598

Documents Filed:

Amendment Transmittal (1 page)

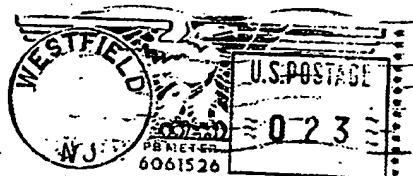
Amendment (7 pages)

Petition for One-Month Extension of Time (1 page)



Sender's Initials: RG/epm
423250_1.DOC

Mailing Date: April 4, 2003



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SEP 08 2003

PTO/SB/22 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket No. (Optional)

ALBIHN W 3.3-397

In re Application of Rudolf Nordin

Application Number

09/701,598

Filed

April 16, 2001

For: CLOTH FOR A DRY MOP

Group Art Unit

1771

Examiner

C. Pratt

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|---|-----------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ 110.00 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ |

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 12-1095

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a)

April 4, 2003

Date

Signature

Raymond Garguilo, Jr.

Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below



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forms are submitted.

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: April 4, 2003

Signature:

(Raymond Garguilo, Jr.)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20591
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,598	04/16/2001	Rudolf Nordin	ALBIHNW-397	5603

7590 12/05/2002
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*Due
05 MAR 2003
EKH*

EXAMINER	
PRATT, CHRISTOPHER C	

ART UNIT	PAPER NUMBER
1771	8

DATE MAILED: 12/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

LDLK&M
DEC 09 2002
RECEIVED

Insert new claims 13 and 14, as follows:

13. (NEW) A dry mop fabric having a first surface and a second surface for cleaning soiled surfaces comprising a micro- or ultramicro-fiber having a count of from 0.60 to 0.25 DTEX per fiber throughout both said first surface and said second surface, said loops having a number of loops per unit of area, a yarn thickness and a loop height proportioned so that when the fabric is pressed against the surface underneath it the loops remain upright or lay in an angle of no more than 45 degrees to an imaginary vertical line.

14. (NEW) A dry mop according to claim 13, wherein the height of the loops is 3-9 mm.

REMARKS

This Amendment is in response to the outstanding Office Action dated December 5, 2002. Claims 4-12 were rejected under the nonstatutory double patenting objection based on a judicially created doctrine in view of Nordin, U.S. Patent No. 5,804,274 ("the '274 patent"). Applicant respectfully traverses the Examiner's rejection and requests reconsideration and allowance of claims 4-12 that are pending in the above-identified patent application, as well as added claims 13-14. Applicant has amended claim 4 and added claims 13 and 14. No new matter has been added by these changes.

The Examiner also rejects claims 4-12 under 35 U.S.C. § 103(a) as being unpatentable over Nordin (WO 96/10946) ("PCT"). The Examiner essentially contends that Nordin discloses a mop comprised of microfibers having a DTEX below 1. The Examiner further admits that Nordin does not specifically teach loop height; however, the Examiner contends that it would have been obvious to a person having ordinary skill in the art to modify the length of the loops in order to optimize friction, brushing, and accumulation properties of the mop.

Claim 4, as amended, discloses a dry mop with a first and second surface comprised of ultra-micro fibers having a count of 0.25 to 0.60 DTEX per fiber throughout the entire mop. The advantage of having a DTEX throughout the entire mop of less than 1 is that the yarn thickness is a factor which enables the fabric to remain upright when a downward force is placed against the mop. In contrast the '274 patent specifically states that: "The loops 3 having a longer length consist of yarn with a more normal fibre fineness, i.e. substantially above 1 Dtex." (See column 2, lines 60-62.) The PCT application also specifically discloses this factor at page 2, lines 31-33. Thus, the PCT and the '274 patent do not disclose a yarn

thickness that would enable the loops to remain vertically upright when a downward force is placed upon the mop.

Applicant has added new claims 13 and 14 and submits that these claims are patentable over the cited art of record. New independent claim 13 and dependent claim 14 not only disclose a dry mop fabric having a first surface and second surface comprised of micro or ultramicro-fiber have a count of at a maximum 0.60 DTEX per fiber, but also include the further limitation wherein loops are so proportioned when the fabric is pressed against a surface underneath that the loops remain upright or lay at an angle of no more than 45 degrees to an imaginary vertical line. The dry mop fabric has the ability to maintain this vertical upright position due to the fact that the woven or knitted loops are proportioned so that the loops remain upright or lay at the angle of no more than 45 degrees to an imaginary vertical line. This result is achieved by varying several factors including the number of loops per unit area, the yarn thickness and the loop height proportion. Significantly, in order for the loops to remain upright, each loop on both the first surface and second surface must be substantially the same length. Support for this can be found at paragraph [0016] of the present application.

Conversely, neither *Nordin*, U.S. Patent No. 5,804,274 or *Nordin* (WO 96/10946) are able to achieve or teach loops that remain upright or lay at an angle of no more than 45 degrees to an imaginary vertical line when a force is exerted downward on the mop against a surface. This is due to the fact that both the '274 patent and the PCT application both disclose a mop having large and small loops on their first and second surfaces. (See page 5, lines 1-10 of the PCT application; see column 2, lines 57-65 of the '274 patent.) The long loops in the PCT and the '274 patent are not able to be supported in an upright

position due to the fact that shorter loops are intertwined between each of the longer loops. As compared to the present application, each loop is of similar size, thus can be supported by adjacent loops while a downward force is placed upon the mop.

A propulsive effect of the dirt particles or other impurities arises because of the position, flatness, and closeness of the fibers across the entire surface of the mop and the fact that they remain in this position while a downward force is placed upon the mop, and it moves forward and backward. A relatively high loop height combined with the collectively large fiber surface contributes to the mop's ability to accumulate a large quantity of grime or dirt particles. The cleaning action is thus highly effective because of the microfiber's extreme softness, the length and closeness of the loops and the count and surface dimensions of the fibers. Even though the fibers are soft and the loops are long, the loops will still not be flattened out because they support each other owing to their closeness and similar size. Accordingly, it is respectfully submitted that claims 4-14 are in condition for allowance. For the reasons set forth above, the rejections in the Office Action are respectfully traversed.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at

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Docket No.: ALBIHN W 3.3-397

(908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 4, 2003

Respectfully submitted,

By 

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Attorneys for Applicant

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Version With Markings to Show Changes Made

IN THE CLAIMS:

4. (AMENDED) A dry mop fabric having a first surface and a second surface for cleaning soiled surfaces comprising a micro- or ultramicro-fiber having a count of ~~from~~ at a maximum 0.60 to at a minimum 0.25 DTEX per fiber, said fiber being woven so as to provide loops on at least one of said first and second surfaces, said loops having a height of from 3 to 9 mm.

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